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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,475	01/28/2004	Dcan E. Meyer	MDG-006CIP	5070

7590 10/23/2007
Daniel J. Deneufbourg Esq.
37 Tuttle Ave
Clarendon Hills, IL 60514

EXAMINER

LARSON, JUSTIN MATTHEW

ART UNIT	PAPER NUMBER
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3782

MAIL DATE	DELIVERY MODE
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10/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/767,475

Applicant(s)

MEYER, DEAN E.

Examiner

Justin M. Larson

Art Unit

3782

All participants (applicant, applicant's representative, PTO personnel):

(1) Justin M. Larson.

(3) Daniel J. Deneufbourg.

(2) Nathan J. Newhouse.

(4) _____.

Date of Interview: 16 October 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1, 6, 15 and 21.

Identification of prior art discussed: All used in latest Final rejection.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


NATHAN J. NEWHOUSE
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Deneufbourg presented proposed amendments (See attached). Examiner agreed that these amendments overcame the 102 rejections with Zufich and Thompson, but felt that the 102 rejection with Drager and 103 rejection with Lamar and Yewer, Jr. et al. were still applicable. Examiner agreed that in claim 15, language similar to "a support member including a central base and a pair of spaced-apart arms, wherein said base and arms form a single, unitary piece" would define over the hinged and multi-piece support member of Drager. Examiner noted that any amendment filed after final may be held as a new issue that would require further consideration and/or search, depending on the content of the submission. It was agreed that Applicant's amendments would be fully considered upon a formal submission.


NATHAN J. NEWHOUSE
SUPERVISORY PATENT EXAMINER

FROM: DAN DENEUFBOURG
RE: MDG-006 CIP/PROPOSED
AMENDMENTS FOR INTERVIEW

Application Serial No.: 10/767,475
Filing Date: January 28, 2004

DATE: OCTOBER 16, 2007

Express Mail No. EB 466277872 US FAX #: (571) 273-8649

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Dean E. Meyer)	
Application No.	10/767,475)	
Filed:	January 28, 2004)	Group Art Unit: 3782
For:	RIGID CLIP SUPPORT MEMBER FOR PACKS, BAGS AND OTHER ARTICLES)	Confirmation No.: 5070
Examiner:	Justin M. Larson)	
Attorney Docket No.:	MDG-006CIP)	

AMENDMENT AND RESPONSE UNDER RULE 116

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated August 10, 2007,
please further amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims
and begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings in the application:

Claim 1 (currently amended): A ~~clip adapted for use in connection with a~~ A pack intended to store and carry articles and adapted to be carried by a user in an over-the-back relationship, the pack including a clip comprising an elongate continuous strip of material which has been bent and shaped to define a an elongate central body and a pair of rigid spaced-apart arms extending outwardly from opposed ends of the central body and adapted to rest or engage against the waist and/or hips of the user, the pack defining a shell, a generally vertical front panel and a generally horizontal closed bottom panel and generally vertical opposed side panels defining respective interior faces, and an interior, the clip being adapted to be located within the interior of the pack in a relationship wherein the central body extends through the interior of the pack from a point adjacent the interior face of one of the side panels to a point adjacent the interior face of the other of the side panels and in a generally horizontal relationship along the bottom panel of the pack and the arms protrude from opposed ends of the central body in a generally horizontal relationship from within the interior of the pack through openings defined in the front panel of the pack in a direction generally normal to the generally vertical front panel, the pack further defining a pair of sleeves extending outwardly from said openings defined in the shell and the arms of said clip being adapted to extend through said sleeves respectively.

Claim 2 (cancelled): The clip of claim 1 wherein the article defines a shell and the clip is associated with the article in a manner wherein the pair of rigid, spaced-apart arms protrude generally outwardly from the shell of the pack and are adapted to engage the waist and/or hips of the user.

Claim 3 (cancelled): The clip of claim 2 wherein the shell of the article defines an interior, the clip being adapted to be located within the interior of

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the article in a relationship wherein the arms thereof protrude through openings defined in the shell of the article.

Claim 4 (cancelled): The clip of claim 3 wherein the article defines a pair of sleeves extending outwardly from said openings defined in the shell and the arms of said clip are adapted to extend through said sleeves respectively.

Claim 5 (currently amended): The clip of claim 1 wherein ~~he~~ the arms are adapted to exert a compressive force against the waist and/or hips of the user.

Claim 6 (currently amended): ~~A clip adapted for use in connection with a pack intended to be carried by a user in an over-the-back relationship, the pack comprising a~~ defining an interior shell including ~~comprised of a~~ generally vertical front panel adapted to rest against the back of the user and a closed bottom panel defining an interior surface, a pair of opposed side panels, and a back panel, the pack including a clip being defined by a generally U-shaped continuous strip of material extending along the bottom panel of the pack in a generally horizontal relationship and being defined by a generally arcuate and elongate central body which extends through the interior shell and is seated against the interior face of the bottom panel and a pair of rigid spaced-apart arms extending outwardly from opposed ends of the central body and protrudes through respective openings defined in the front panel of the pack in a relationship and direction generally normal to the front panel of the pack and adapted to rest or engage against the waist and/or hips of the user wherein the arms are adapted to be flexed laterally away from each other for adjusting the width of said clip, said arms being further adapted to spring back towards each other and exert a compressive force against the waist and/or hips of the user.

Claim 7 (cancelled) A back pack adapted to be carried by a user in an over-the-back relationship and comprising a support member associated therewith and defining a pair of spaced-apart arms adapted to rest against the waist and/or hips of the user, the back pack further comprising an interior, a generally vertical front panel, and a generally horizontal closed bottom panel, said pair of

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spaced-apart arms being made of a rigid and flexible material and extending outwardly from opposed ends of a lower portion of said front panel in a generally horizontal relationship and direction normal to the front panel, the arms being adapted to be flexed laterally away from each other for adjusting the width of said support member, said arms being further adapted to spring back towards each other and into engagement with the waist and/or hips of the user.

Claim 8 (cancelled): The back pack of claim 7 wherein said support member defines a clip and said arms are adapted to exert a compressive force against the waist and/or hips of the user.

Claim 9 (cancelled): The back pack of claim 8 wherein the clip includes a generally arcuate central body extending in a generally horizontal relationship along the bottom panel of the bag and interconnecting said pair of arms at opposed ends of said central body.

Claim 10 (cancelled): The article of claim 7 defining an interior and including a front face defining a pair of apertures therein, said support member being located within the interior of the article and said arms extending through said respective apertures defined in the front face of the article.

Claim 11 (cancelled): The article of claim 7 defining an interior and including a front face defining a pair of outwardly extending hollow sleeves, said support member being located within the interior of the article in a manner wherein the respective arms extend through said respective sleeves.

Claim 12 (cancelled): A support member adapted for use with a golf bag defining an outer surface and including a handle defining a central through opening and adapted to be grasped by a user for carrying the golf bag, the support member defining a clip suspended from the through opening of the handle of the golf bag, the clip being pivotable about the handle between a first position wherein said arms are positioned adjacent the outer surface of the bag and a second position wherein the clip and the arms thereof have been rotated away from the outer surface into engagement with the waist and/or hips of the user.

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Claim 13 (cancelled): The article of claim 7 defining a golf bag including a handle and a front face, the support member defining a clip associated with the front face and pivotable therefrom between a first position wherein the arms thereof are positioned generally parallel to the front face and a second position wherein the arms are positioned generally normal to the front face and adapted to engage the waist and/or hips of the user.

Claim 14 (cancelled): The article of claim 7 defining a golf bag including a handle and an outer surface and the support member includes a frame surrounded by a sleeve defining said arms and an arcuate notch therebetween, the member extending generally outwardly from the handle in a relationship generally tangent to the outer surface of the golf bag for engagement with the waist and/or hips of the user.

Claim 15 (currently amended): A pack adapted to be carried by a user and adapted to carry articles and comprising:

a shell defining an interior adapted to receive and store the articles, the interior being defined by a front panel including an outer surface, a hollow interior a back panel, a bottom panel, a pair of opposed side panels, and a longitudinal axis extending through the shell and the bottom panel in a direction and orientation normal to the bottom panel;

a support member including a central base located and extending within the interior of the pack in a generally horizontal relationship and direction generally normal to both the direction of the longitudinal axis of the shell and the direction of the opposed side panels and defining a pair of spaced-apart arms extending from within the interior of the pack through apertures defined in the front panel of said pack in a generally horizontal relationship and in a direction generally normal to the longitudinal axis of said shell, said arms being adapted to abut the waist and/or hips of the user; and

a pair of sleeves in communication with said apertures defined in the outer surface of said pack and extending outwardly from said outer surface of said front panel of said pack in a direction and relationship generally

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normal to the longitudinal axis of said shell, said arms of said support member extending through said sleeves.

Claim 16 (cancelled): The pack of claim 15 further including a pair of sleeves in communication with said apertures, said arms extending through said sleeves.

Claim 17 (currently amended): The pack of claim 15 wherein said ~~support member defines a clip including a base located within~~ base extends through the interior of the pack from a point adjacent one of the opposed side panels to a point adjacent the other of the opposed side panels and extending extends in a generally horizontal relationship along the bottom panel of the pack, said arms extending unitarily outwardly from opposed ends of said base and being adapted to flex towards and away from each other.

Claim 18 (cancelled): The pack of claim 17 wherein said arms are collapsible.

Claim 19 (previously presented): A pack adapted to be mounted and carried over the back of a user and comprising:

a shell defining an outer surface and a hollow interior;

a support member located within the interior of the pack and defining a pair of spaced-apart arms extending through apertures defined in the outer surface of said pack, said arms being adapted to abut against the waist, hips and/or back of the user; and

a strap associated with said support member and extending between and interconnecting said arms, said strap being located between the pack and the back of the user and the arms being adapted for pivotal movement towards each other in response to a rearward lateral movement of said strap when said pack is mounted over the back of the user and said strap comes into abutting relationship with the back of the user.

Claim 20 (cancelled): The pack of claim 17 wherein said clip is made of a shape memory alloy.

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Claim 21 (currently amended): A golf bag adapted to be carried by an individual in a generally vertical over-the-back relationship, the golf bag including a front panel defining an outer surface and adapted to rest against the back of the individual carrying the golf bag, a pair of shoulder straps secured to the outer surface of the front panel, an open top end, a closed bottom end, and a longitudinal axis extending through the open top end and closed bottom end of the golf bag, the golf bag further comprising a support member defined by a continuous, generally U-shaped strip of material which has been bent and shaped to define an arcuate central body and a pair of spaced-apart, generally parallel arms extending outwardly from respective opposed ends of said central body, the support member comprising a rigid material which allows the support member to remain continuously U-shaped without user manipulation, said central body of said support member being secured to the front panel of the golf bag at a point along the longitudinal axis of the golf bag whereby, with the golf bag being carried by its shoulder straps in said over-the-back relationship, the body of said support member rests against the small of the back of the individual carrying the golf bag and the arms are adapted to rest against the waist and/or hips of the individual, the arms being adapted to be flexed laterally away from each other with or without manipulation by the individual carrying the golf bag for adjusting the width of said support member, said arms being further adapted to spring back towards each other and into contact with the waist and/or hips of the user without manipulation by the individual carrying the golf bag.

Claim 22 (cancelled): The support member of claim 21 adapted to be secured to the handle of the golf bag.

Claim 23 (currently amended): The golf bag of claim ~~22~~ 21 wherein the support member defines a clip which is pivotable about the front panel of the golf bag between a first disengaged position adjacent the outer surface of the golf bag and second position in engagement with the waist and/or hips of the individual carrying the golf bag.

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Claim 24 (cancelled): The support member of claim 23 wherein the arms are flexible towards and away from each other.

Claim 25 (currently amended): The golf bag of claim 24 21 wherein the arms are adapted to exert a compressive force against the waist and/or hips of the individual carrying the golf bag without manipulation by the individual carrying the golf bag.

Claim 26 (currently amended): The golf bag of claim 25 wherein the arms are made from a shape memory material.

Claim 27 (currently amended): The golf bag of claim 24 21 wherein a strap which is adapted to rest against the small of the back of the individual carrying the golf bag extends between and interconnects the arms, the arms being pivotable towards each other in response to the lateral movement of said strap when said strap engages the small of the back of the individual carrying the golf bag.

Claim 28 (cancelled): The support member of claim 22 wherein said arms are defined by a frame, said frame being adapted to extend outwardly from the outer surface of said golf bag.

Claim 29 (cancelled): The support member of claim 28 wherein the frame comprises a continuous bar or rod of material which has bent and shaped to define an upper frame portion, a pair of arms extending unitary outwardly and downwardly from the ends of the frame portion, and a lower frame portion unitary with and extending between the arms and defining a notch.

Claim 30 (cancelled): The support member of claim 21 wherein the frame is surrounded by a protective sleeve defining a notch.

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REMARKS/ARGUMENTS

Claims 1, 5-9, 15, 17, 19, 21, 23 and 25-27 are currently pending in the application.

By virtue of this response, claims 1, 5, 6, 15, 17, 21, 23, 25, and 27 have been amended and claims 7, 8, and 9 have been cancelled without prejudice.

Initially, Applicant notes that each of the dependent claims 5, 23, 25, and 27 have been appropriately amended in response to the Examiner's objection thereto.

Claims 1 and 5-9 currently stand rejected under 35 USC Section 102(b) as being anticipated by US Patent No. 4,099,657 to Zufich. Claims 7, 8, and 15 currently stand rejected under 35 USC Section 102(b) as being anticipated by US Patent No. 5,890,640 to Thompson. Claims 15 and 17 currently stand rejected under 35 USC Section 102(b) and being anticipated by US Patent No. 1,448,918 to Drager.

These rejections are traversed and should be withdrawn in view that each of the independent claims 1, 6, and 15 have been appropriately further amended as discussed in more detail below. The rejections with respect to claims 7-9 are moot inasmuch as claims 7-9 have been cancelled without prejudice.

More specifically, independent claim 1 has been further amended to recite: 1) a pack including a clip rather than a clip adapted for use with a pack; 2) that the pack includes opposed side panels; 3) that the central body of the clip is elongate and extends through the interior of the pack from a point adjacent the interior face of one of the side panels to a point adjacent the interior face of the other of the side panels and in a generally horizontal relationship along the bottom panel of the pack; and 4) that the opposed ends of the body of the clip protrude from

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within the interior of the pack through openings defined in the front panel of the pack.

Independent claim 6 has likewise been appropriately further amended to recite: 1) a pack including a clip rather than a clip adapted for use with a pack; 2) that the pack defines an interior shell comprised of a front panel, opposed side panels, and a back panel; 3) that the clip defines an arcuate central body which is elongate and extends through the interior shell and is seated against the interior face of the bottom panel of the pack in a generally horizontal relationship; and 4) that the opposed ends of the central body of the clip extend through openings in the front panel.

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Independent claim 15 recites or has been appropriately further amended to recite: 1) a pack which is adapted to carry articles; 2) that the shell defines an interior defined not only by front and back panels but also a back panel and a pair of opposed side panels; 3) that the support member includes a central base located within the interior of the pack; 4) that the central base extends through the interior of the pack in a direction which is not only normal to the direction of the longitudinal axis of the shell but also normal to the direction of the opposed side panels of the pack; and 5) that the pack includes sleeves in communication with apertures defined in the front panel of the pack.

None of the above further amendments introduce any new matter and are all supported in for example Figures 1-3 and Paragraphs 0039 and 0041 of the subject published patent application which depicts and describes a pack 102 including an interior shell or interior defined by a front panel 104, a back panel 106, a bottom panel 112, and opposed side panels 108 and 110.

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The clip or support member 114 is comprised of an elongate central body/base 124 and a pair of arms 126 and 128 which protrude from within the interior of the pack through respective openings/apertures 105 defined in the front panel 104.

In accordance with the present invention, the elongate central body/base 124 of the clip/support member 114 extends through the interior of the pack in a relationship which can alternatively be described as: 1) from a point adjacent the interior face of the side panel 108 to a point adjacent the interior face of the opposed side panel 110 and in a generally horizontal relationship along the bottom panel of the pack (claim 1); 2) seated against the interior face of the bottom panel 112 of the pack (claim 6); or 3) extending in a direction which is normal to the direction of the opposed side panels 108 and 110 (claim 15).

None of the cited references disclose or suggest a pack including a clip with a central body/base which extends through the interior of the pack as alternatively described in further amended independent claims 1, 6, and 15.

Zufich is deficient because it disclose only a pack including a support frame 17 which is mounted on the outside of the pack structure. More specifically, no portion of the frame including no portion of the rear portion 50 extends through any portion of the interior of the pack as in the present invention where the clip and, more specifically, the central body thereof extends through the interior of the pack (claims 1, 6, and 15) from a point adjacent the one of the side panels to a point adjacent the opposite side panel (claim 1); or seated against the interior face of the bottom panel (claim 6).

Moreover, and because no portion of the clip in Zufich extends through the interior of

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the pack, Zufich does not require openings/apertures in the front panel (claims 1, 6, and 15) through which the arms of the clip/support member are adapted to extend or protrude from within the interior of the pack (claims 1, 6, and 15).

With regard to Thompson, the Examiner has noted that the lower ends of each of the support rods 26 and 28 extend through the interior of the pack in a direction generally normal to the front panel of the pack. Each of the independent claims 1, 6, and 16 has been further amended to more particularly recite that it is the central body/base of the clip/support member which alternatively extends through the interior of the pack from a point adjacent one of the side panels to a point adjacent the opposite side panel (claim 1); is seated against the interior face of the bottom panel (claim 6); and extends in a direction generally normal to the side panels (claim 15).

The central portions of the support rods 26 and 28 disclosed in Thompson do not read on any of these features of the central body/base of the clip/support member of the present invention inasmuch as each of the support rods 26 and 28, and more specifically, the central portions thereof, extend in a generally vertical relationship between the top of the pack and the bottom of the pack in a direction which is generally parallel to the side panels. As described above, the clip of the present invention, and more specifically, the central body thereof extends in a generally horizontal relationship against the bottom panel of the pack and between, and in a direction generally normal to, the side panels of the pack.

Drager is deficient because it discloses only a supporting frame for a breathing apparatus. There is no disclosure or suggestion of a pack with an interior defined by front, back,

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side and bottom side walls (claims 1, 6, and 15) or a clip located within the interior of a pack (claims 1, 6, and 15) which has arms which protrude through openings/apertures in the front panel of the pack.

For at least the above reasons, Applicant respectfully requests the allowance of independent claims 1, 6, and 15 and each of the claims dependent thereon.

Applicant further notes that dependent claim 17 has been amended to recite that the base (i.e., central body) of the clip extends from a point adjacent one of the opposed side panels to a point adjacent the other of the opposed side panels. Claim 17 is allowable for the same reasons as independent claim 1 as described above.

Claims 21, 23, 25, and 27 currently stand rejected under 35 USC Section 102(b) as being anticipated by US Patent No. 5,419,473 to Lamar. Claim 26 currently stands rejected under 35 USC Section 103(a) as being obvious over US Patent No. 5,419,473 to Lamar in view of US Patent No. 4,782,535 to Yewer, Jr. et. al.

These rejections are traversed and should be withdrawn in view that independent claim claim 21 has been appropriately further amended to recite that: 1) the support member comprises a rigid material which allows the support member to remain continuously U-shaped without user manipulation; 2) that the arms are adapted to be flexed laterally away from each other with or without manipulation by the individual carrying the golf bag; and 3) that the arms are adapted to spring back towards each other and into contact with the waist of the user without manipulation by the individual carrying the golf bag.

Dependent claim 25 has been likewise amended to recite that the arms are adapted to

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exert a compressive force against the waist of the individual carrying the golf bag without manipulation by the individual carrying the golf bag.

Lamar is deficient because it discloses only a waist band or belt 62 which is made of a flexible material and which is adapted to remain U-shaped only when the band 62 has been wrapped around the waist and buckled by user manipulation.

The clip of the present invention on the other hand is made of a rigid material which always retains its U-shape with or without user manipulation as now recited in claim 21.

Moreover, the flexible belt 62 of Lamar is such that it is adapted to exert a force against the waist of the user only in response to manipulation and buckling by the user of the band 62 around the waist of the user. In the present invention, however, and by virtue of the clip's rigid construction and continuous U-shape, no manipulation is required by the user to cause the clip to exert a compressive force against the waist of the user.

For at least the above reasons, independent claim 21 and dependent claim 25 are now in allowable form. Moreover, the remaining pending claims (claims 23, 26, and 27) dependent directly or indirectly on independent claim 21 are allowable for the same reasons as claim 21.

Moreover, and although the above amendments are being made under final, Applicant notes that they do not raise any new issues or require any additional searching.

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Filing Date: January 28, 2004

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In view of the above, Applicant thus contends that the application is now in condition for allowance in view of the amendments and remarks above. Thus, the allowance of claims 1, 5, 6, 15, 17, 19, 21, 23, and 25-27 and the passing of this application to issue are now respectfully requested.

Respectfully submitted,

Date: October __, 2007

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